

Nathan B. McClintock, OSB #841520
nmcclintock@epuerto.com
Corrigall & McClintock
PO Box 1178
936 Central Avenue
Coos Bay, OR 97420
Phone: (541) 269-1123
Fax: (541)269-1126

Attorney for Defendant

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

PATSY JAY,

Plaintiff,

v.

GRAND MANAGMENT SERVICES,
INC., EVERGREEN GARDENS
LIMITED PARTNERSHIP, JERRY
MASCOLO, LEONDRA COLEMAN,
and DAWN COCKRUM,

Defendants,

Case No. 3:23-cv-656-SI

**ANSWER OF DEFENDANT
EVERGREEN GARDENS**

Federal Fair Housing Act and
Negligence

DEMAND FOR JURY TRIAL

COMES NOW defendant, Evergreen Gardens Limited Partnership, by and through its attorney, Nathan B. McClintock, and as and for an answer as to only those allegations made against this answering defendant in the complaint on file herein, admits, denies, and alleges as follows:

2.

Defendant denies each and every allegation of Plaintiff's complaint, except that Defendant admits the first sentence of paragraph 1, paragraphs 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 21, 35, 39, 43 (regarding incorporation into claim only), 44, 46, 51 (regarding

1 incorporation into claim only), 55 (regarding incorporation into claim only), 59 (regarding
2 incorporation into claim only), the first sentence of paragraph 60.

3 3.

4 Defendant lacks sufficient information and knowledge to admit or deny the
5 allegations of the second sentence of paragraph 1, paragraph 14, 16, 17, 19, 20, 22,
6 23, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37, 38, and, as such, deny the same.

7 AS AND FOR A FURTHER ANSWER AND FIRST AFFIRMATIVE DEFENSE,
8 Defendant alleges:

9 4.

10 Plaintiff's complaint fails to state a claim upon which relief can be granted.

11 AS AND FOR A FURTHER ANSWER AND SECOND AFFIRMATIVE DEFENSE,
12 Defendant alleges:

13 At or about the time and place alleged in plaintiff's complaint, plaintiff was
14 negligent in one or more of the following particulars which was a substantial contributing
15 cause to her damages, if any:

- 16 1. Failing to comply with the terms of her rental agreement;
- 17 2. Failing to comply with the rules and regulations applicable to the
18 premises;
- 19 3. In voluntarily interacting with Mr. McKight following the incident involving
20 Mr. McKight which plaintiff alleges occurred in the plaintiff's apartment;

21 WHEREFORE, this answering Defendant prays that Plaintiff's complaint be
22 dismissed, and judgment be entered in favor of Defendant, and that Defendant recover
23 its costs, disbursements and attorney fees incurred herein.

24 DATED this 20th day of July, 2023.

25 CORRIGALL & McCLINTOCK

26 s/Nathan B. McClintock
NATHAN B. McCLINTOCK
OSB #841520
(541) 269-1123
Attorney for Defendant